



US Army Corps
of Engineers
Alaska District

Public Notice of Application for Permit

Regulatory Branch
CEPOA-CO-R
Post Office Box 6898
Elmendorf AFB, Alaska 99506-0898

PUBLIC NOTICE DATE: May 11, 2006
EXPIRATION DATE: June 9, 2006
REFERENCE NUMBER: POA-1973-53-AA
WATERWAY: Ward Cove

Interested parties are hereby notified that an application has been received for a Department of the Army permit for certain work in waters of the United States as described below and shown on the attached plan.

APPLICANT: Boyer Towing, Inc., Post Office Box 8000, Ketchikan, Alaska 99901;
Contact: Kent Halvorsen, phone (907) 225-2090, fax (907) 225-4468.

LOCATION: The proposed project is located within section 34, T. 74 S., R. 90 E., Copper River Meridian; Latitude 55.4033° N., Longitude 131.7191° W., in Ward Cove, near Ketchikan, Alaska.

PURPOSE: To construct a new ferry terminal and dock facility.

WORK: The following work is proposed:

- Discharge approximately 3,000 cubic yards (cy) of clean shot rock fill and 1,000 cy or rip rap in 0.3 acres of intertidal area to even up and stabilize fill previously authorized by permit number 2-730053.
- Install a 100-foot outfall line that would be trenched and buried to -4 feet mean lower low water, impacting approximately 0.008 acres below the high tide line.
- Remove the log transfer facility that was authorized by permit modification S-730053. This would include removal of a 20-foot by 90-foot dock with a 30-foot "L" extension and four single pile bumpers, as well as two 3-pile dolphins.
- Construct a 144-foot by 25-foot steel ramp, supported by eight 24 inch diameter steel piles. In addition, two dolphins with six 18 inch diameter steel piles attached and a 15-foot by 44-foot steel float would be attached to the ramp.
- Construct a 103-foot by 28-foot steel dock, with a 150-foot by 18-foot extension. A floating "camel" fendering system would be attached to the extension. Thirty-one 24 inch diameter steel piles would be used to support this structure.
- Construct a fendered dolphin, supported by four 24 inch diameter steel piles.

ADDITIONAL INFORMATION: There is no dredging associated with this project, and work for the outfall line above the high tide line is not jurisdictional.

MITIGATION: No mitigation has been proposed.

WATER QUALITY CERTIFICATION: A permit for the described work will not be issued until a certification or waiver of certification as required under Section 401 of the Clean Water Act (Public Law 95-217), has been received from the Alaska Department of Environmental Conservation.

COASTAL ZONE MANAGEMENT ACT CERTIFICATION: Section 307(c)(3) of the Coastal Zone, Management Act of 1972, as amended by 16 U.S.C. 1456(c)(3), requires the applicant to certify that the described activity affecting land or water uses in the Coastal Zone complies with the Alaska Coastal Management Program. A permit will not be issued until the Office of Project Management and Permitting, Department of Natural Resources has concurred with the applicant's certification.

PUBLIC HEARING: Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider this application. Requests for public hearings shall state, with particularity, reasons for holding a public hearing.

CULTURAL RESOURCES: The latest published version of the Alaska Heritage Resources Survey (AHRS) has been consulted for the presence or absence of historic properties, including those listed in or eligible for inclusion in the National Register of Historic Places. There are no listed or eligible properties in the vicinity of the worksite. Consultation of the AHRS constitutes the extent of cultural resource investigations by the District Engineer at this time, and he is otherwise unaware of the presence of such resources. This application is being coordinated with the State Historic Preservation Office (SHPO). Any comments SHPO may have concerning presently unknown archeological or historic data that may be lost or destroyed by work under the requested permit will be considered in our final assessment of the described work.

TRIBAL CONSULTATION: The Alaska District fully supports tribal self-governance and government-to-government relations between the Federal government and Federally recognized Tribes. This notice invites participation by agencies, Tribes, and members of the public in the Federal decision-making process. In addition, Tribes with protected rights or resources that could be significantly affected by a proposed Federal action (e.g., a permit decision) have the right to consult with the Alaska District on a government-to-government basis. Views of each Tribe regarding protected rights and resources will be accorded due consideration in this process. This Public Notice serves as notification to the Tribes within the area potentially affected by the proposed work and invites their participation in the Federal decision-making process regarding the protected Tribal right or resource. Consultation may be initiated by the affected Tribe upon written request to the District Engineer during the public comment period.

ENDANGERED SPECIES: No threatened or endangered species are known to use the project area. Preliminarily, the described activity will not affect threatened or endangered species, or their critical habitat designated as endangered or threatened, under the Endangered Species Act of 1973 (87 Stat. 844). This application is being coordinated with the U.S. Fish and Wildlife Service and the National Marine Fisheries Service. Any comments they may have concerning endangered or threatened wildlife or plants or their critical habitat will be considered in our final assessment of the described work.

ESSENTIAL FISH HABITAT: The proposed work is being evaluated for possible effects to Essential Fish Habitat (EFH) pursuant to the Magnuson Stevens Fishery Conservation and Management Act of 1996 (MSFCMA), 16 U.S.C. et seq and associated federal regulations found at 50 CFR 600 Subpart K. The Alaska District includes areas of EFH as Fishery Management Plans. We have reviewed the January 20, 1999, North Pacific Fishery Management Council's Environmental Assessment to locate EFH area as identified by the National Marine Fisheries Service (NMFS).

We have determined that the described activity may adversely affect EFH. The proposed work may affect EFH for salmon, groundfish, and scallops. The species include Arrowtooth flounder, Atka mackerel, Capelin, Chinook salmon, Coho salmon, Chum salmon, Dover sole, Eulachon, Flathead sole, Greenland turbot, octopus, Pacific cod, Pacific Ocean perch, Pink salmon, Rex sole, Rock sole, Sablefish, Sand lance, Sculpin, Shark, Shortraker and Rougheye rockfish, Skate, Sockeye Salmon, Squid, Walleye Pollock, Weathervane scallop, Yelloweye rockfish, and Yellowfin sole. This Public Notice initiates consultation requirements with the NMFS under the MSFCMA. We have insufficient information at this time to assess the cumulative effects of the proposed work on EFH, but cumulative effects will be considered in our final assessment of the described work. Any conservation recommendations regarding EFH for federally managed fish will also be considered in our final assessment of the described work. This proposed project may also adversely affect associated species such as major prey or predator species which are not covered by Fishery Management Plans.

SPECIAL AREA DESIGNATION: None.

EVALUATION: The decision whether to issue a permit will be based on an evaluation of the probable impacts including cumulative impacts of the proposed activity and its intended use on the public interest. Evaluation of the probable impacts, which the proposed activity may have on the public interest, requires a careful weighing of all the factors that become relevant in each particular case. The benefits, which reasonably may be expected to accrue from the proposal, must be balanced against its reasonably foreseeable detriments. The decision whether to authorize a proposal, and if so, the conditions under which it will be allowed to occur, are therefore determined by the outcome of the general balancing process. That decision should reflect the national concern for both protection and utilization of important resources. All factors, which may be relevant to the proposal, must be considered including the cumulative effects thereof. Among those are conservation, economics, aesthetics, general environmental concerns, wetlands, cultural values, fish and wildlife values, flood hazards, floodplain values, land use, navigation, shore erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, considerations of property ownership, and, in general, the needs and welfare of the people. For activities involving 404 discharges, a permit will be denied if the discharge that would be authorized by such permit would not comply with the Environmental Protection Agency's 404(b)(1) guidelines. Subject to the preceding sentence and any other applicable guidelines or criteria (see Sections 320.2 and 320.3), a permit will be granted unless the District Engineer determines that it would be contrary to the public interest.

The Corps of Engineers is soliciting comments from the public; Federal, State, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

Comments on the described work, with the reference number, should reach this office no later than the expiration date of this Public Notice to become part of the record and be considered in the decision. Please contact Nicole Hayes at (907) 753-2712, toll free from within Alaska at (800) 478-2712, or by email at nicole.m.hayes@poa02.usace.army.mil if further information is desired concerning this notice.

AUTHORITY: This permit will be issued or denied under the following authorities:

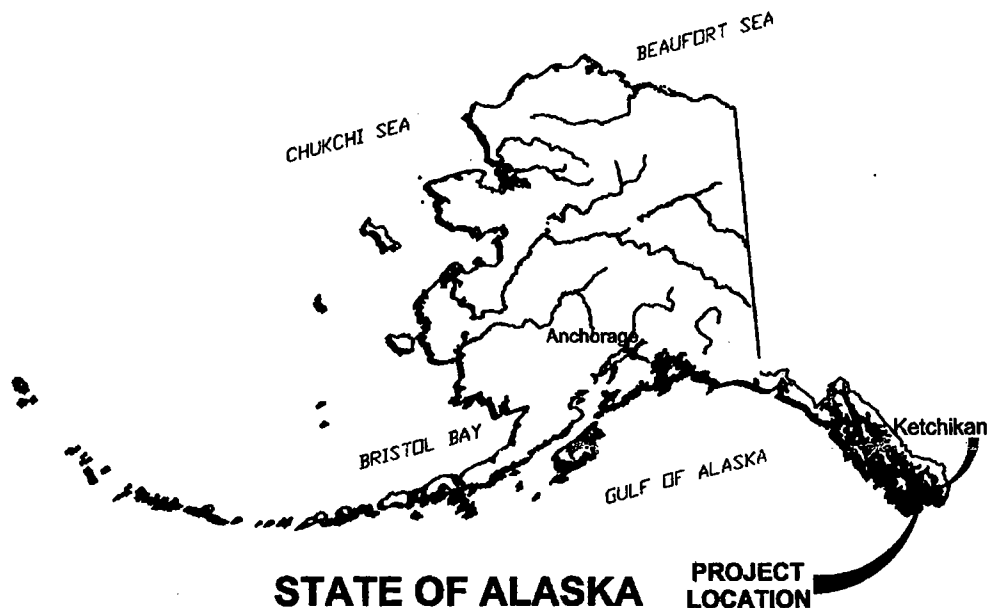
(X) Perform work in or affecting navigable waters of the United States - Section 10 Rivers and Harbors Act 1899 (33 U.S.C. 403).

(X) Discharge dredged or fill material into waters of the United States - Section 404 Clean Water Act (33 U.S.C. 1344). Therefore, our public interest review will consider the guidelines set forth under Section 404(b) of the Clean Water Act (40 CFR 230).

A plan, Notice of Application for Certification of Consistency with the Alaska Coastal Management Program, and Notice of Application for State Water Quality Certification are attached to this Public Notice.

District Engineer
U.S. Army, Corps of Engineers

Attachments



NOTES:

1. TIDE BENCHMARKS FOR SITE AS FOLLOWS:

<u>ELEVATION</u>	<u>FEET</u>
HIGHEST TIDE	20.0
MHHW	15.4
MLLW	0.00
LOWEST TIDE	-4.5

2. PILES, DOCK, FLOATS AND ALL MISCELLANEOUS SUPPORT STRUCTURE WILL BE OF STEEL CONSTRUCTION.

3. PIPE PILES SHALL BE DRIVEN TO AN EMBEDMENT DEPTH EQUIVALENT TO AN ULTIMATE PILE CAPACITY OF 200-KIPS. THE PILE CAPACITY AND REQUIRED PILE DEPTH SHALL BE VERIFIED BY MEANS OF TEST PILES DRIVEN ON SITE.

4. THE PILE DRIVER HAMMER SHALL NOT EXCEED THE FOLLOWING SIZE FOR THE TWO PILE SIZES SPECIFIED ON THIS DRAWING:

<u>PILE SIZE</u>	<u>MAX RATED HAMMER ENERGY</u>
16-IN DIA x 1/2"-WALL	48,700 FT-LBF
24-IN DIA x 1/2"-WALL	73,800 FT-LBF

PURPOSE: CONSTRUCTION OF DOCK AND FERRY LOADING TERMINAL.

DATUM: 0.0' M.L.L.W.

ADJACENT PROPERTY OWNERS:
POOL ENGINEERING
JOERGEN SCHADE

REDUCTION POINT
FERRY TERMINAL SITE

LOCATION MAP

BOYER TOWING, INC.
P.O. BOX 8000
KETCHIKAN, AK 99901

PROPOSED FERRY TERMINAL AND DOCK FACILITY

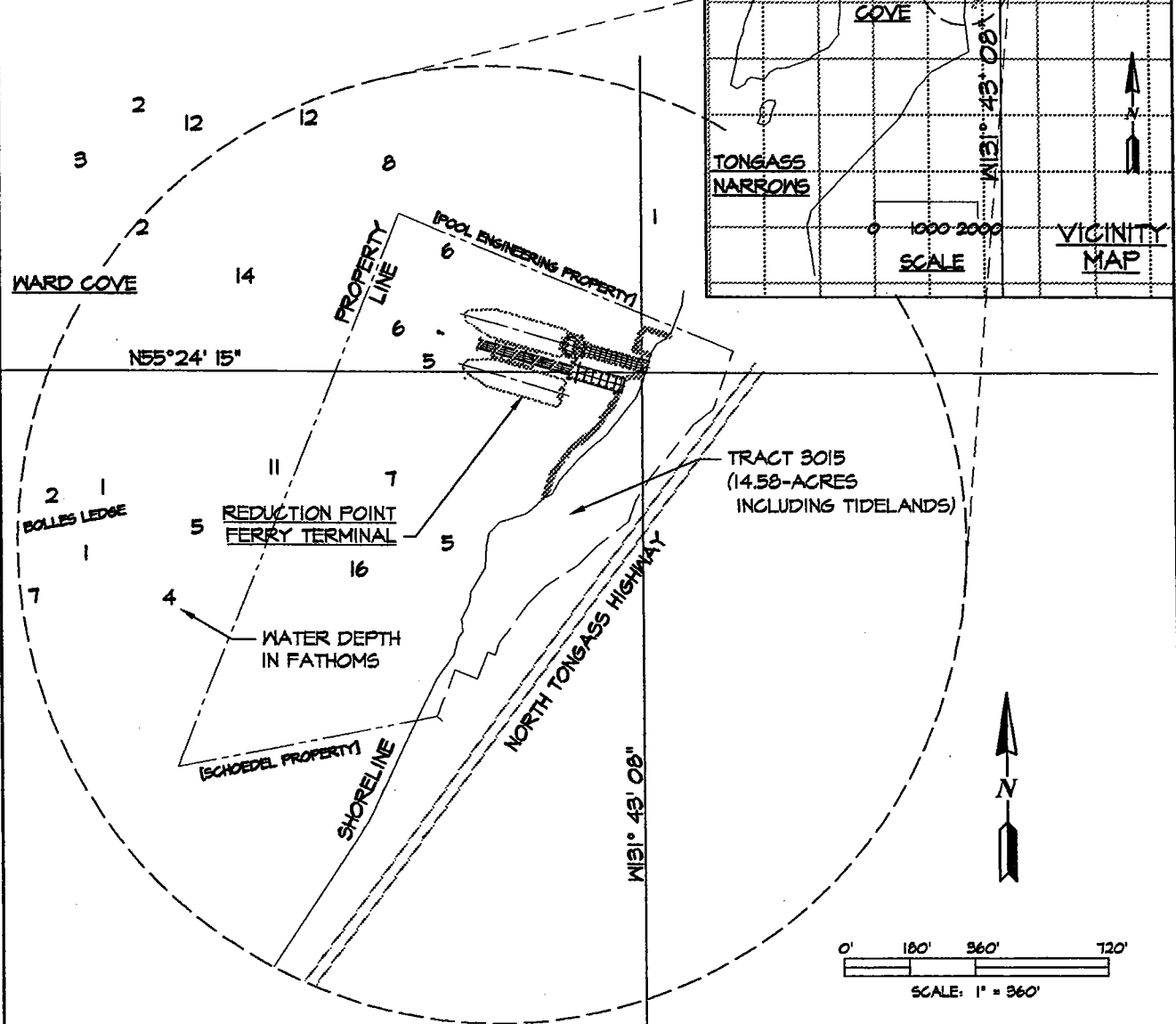
IN: WARD COVE
AT: KETCHIKAN
BOROUGH: KETCHIKAN GATEWAY
STATE: ALASKA

PARCEL: TRACT 3015

R

Sheet: 1 of 11
Date: 4-20-06
POA-1973-53-AA

PROPERTY OWNER IS BOYER TOWING, INC.



PURPOSE: CONSTRUCTION OF DOCK AND FERRY LOADING TERMINAL.

DATUM: 0.0' M.L.L.W.

ADJACENT PROPERTY OWNERS:
POOL ENGINEERING
JOERGEN SCHADE

**REDUCTION POINT
FERRY TERMINAL SITE**

SITE / VICINITY MAP

BOYER TOWING, INC.
P.O. BOX 8000
KETCHIKAN, AK 99901

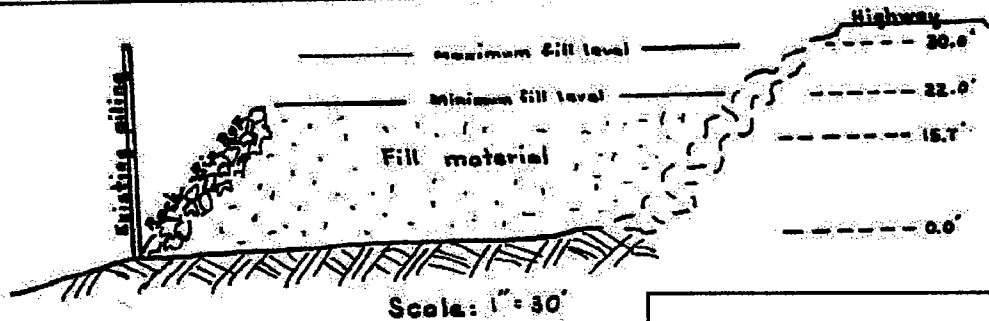
PROPOSED FERRY TERMINAL AND DOCK FACILITY

IN: WARD COVE
AT: KETCHIKAN
BOROUGH: KETCHIKAN GATEWAY
STATE: ALASKA

PARCEL: TRACT 3015

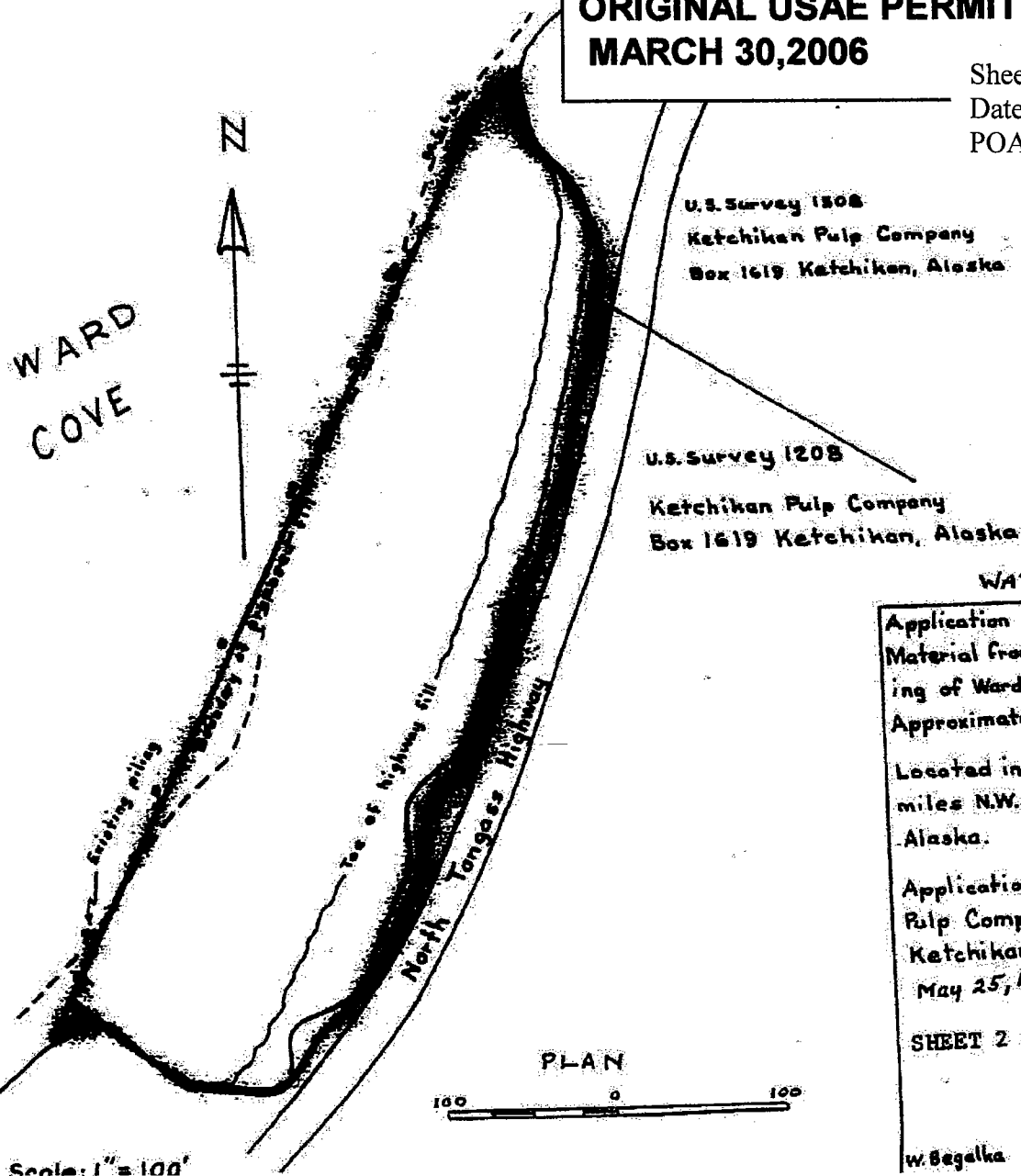
Sheet: 2 of 11
Date: 3-30-06
POA-1973-53-AA

Ward Cove 23 I-730053



**REDUCTION POINT
BOYER TOWING, INC.
ORIGINAL USAE PERMIT WC 23
MARCH 30, 2006**

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Date: 3-30-06
POA-1973-53-AA



WARD COVE 23

Application for Tideland fill.
Material from proposed dredging of Ward Cove barge site.
Approximately 40,000 yds³.

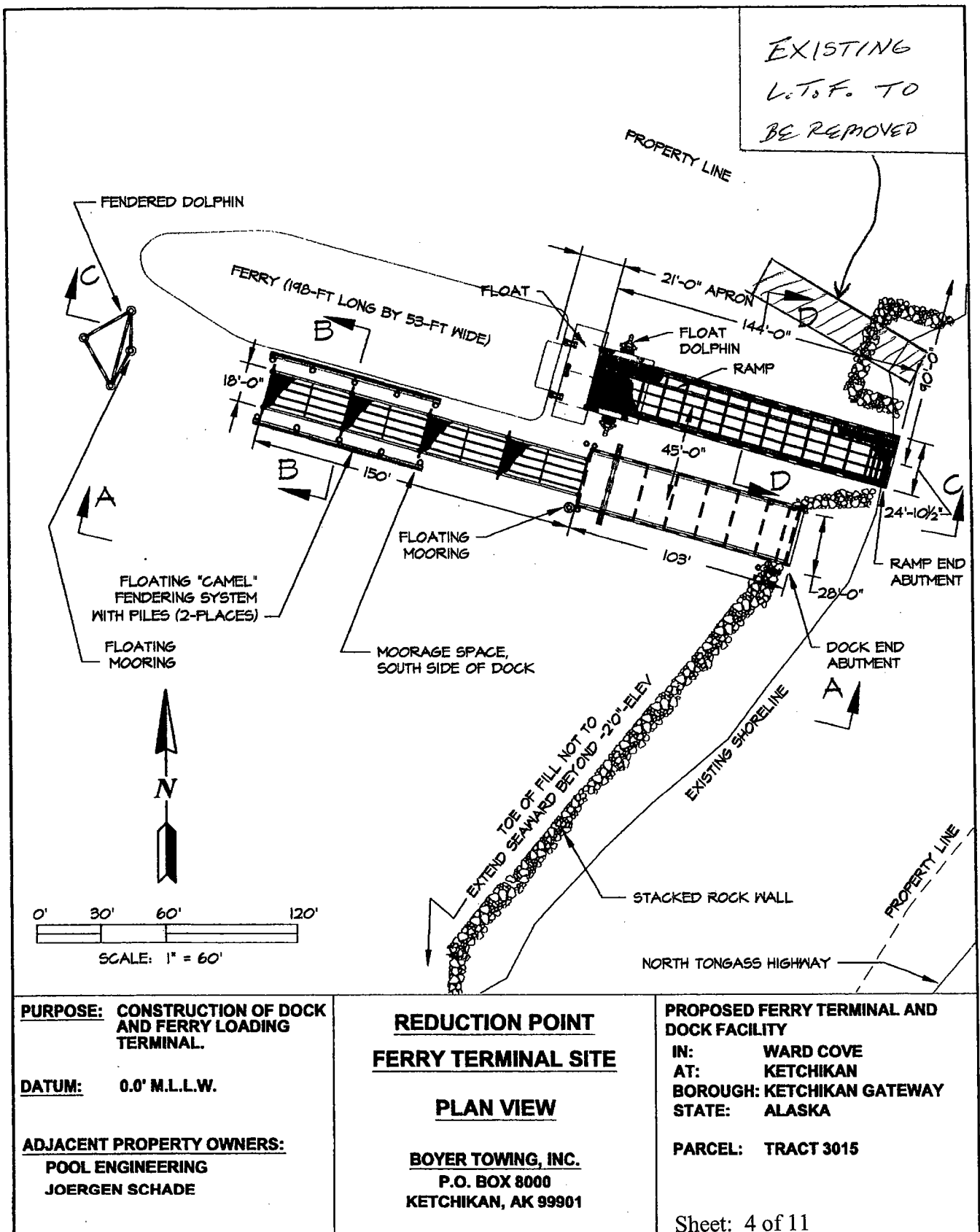
Located in Ward Cove, six miles N.W. of Ketchikan, Alaska.

Application by Ketchikan Pulp Company, Box 1619 Ketchikan, Alaska 99901
May 25, 1973

SHEET 2 OF 2

W. Begelka

5/22/73



PURPOSE: CONSTRUCTION OF DOCK AND FERRY LOADING TERMINAL.

DATUM: 0.0' M.L.L.W.

ADJACENT PROPERTY OWNERS:
POOL ENGINEERING
JOERGEN SCHADE

**REDUCTION POINT
FERRY TERMINAL SITE**

PLAN VIEW

BOYER TOWING, INC.
P.O. BOX 8000
KETCHIKAN, AK 99901

PROPOSED FERRY TERMINAL AND DOCK FACILITY

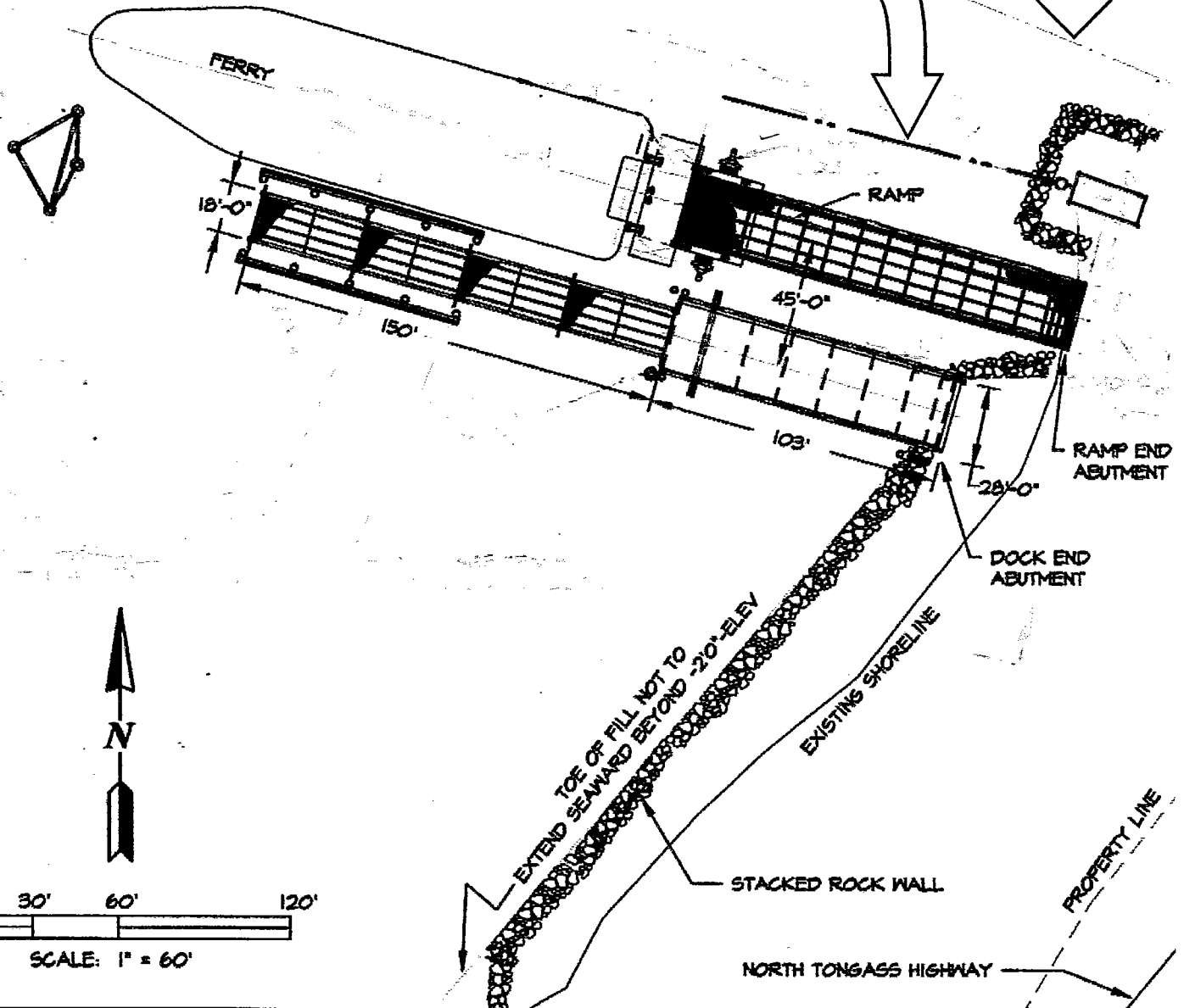
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AT: KETCHIKAN
BOROUGH: KETCHIKAN GATEWAY
STATE: ALASKA

PARCEL: TRACT 3015

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Date: 4-20-06
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5000 GPD SECONDARY WASTEWATER PLANT

6" DUCTILE IRON OUTFALL TO -20



PURPOSE: CONSTRUCTION OF DOCK
AND FERRY LOADING
TERMINAL.

DATUM: 0.0' M.L.L.W.

ADJACENT PROPERTY OWNERS:
POOL ENGINEERING
JOERGEN SCHADE

REDUCTION POINT
FERRY TERMINAL SITE

**SECONDARY WASTEWATER
PLANT**

BOYER TOWING, INC.
P.O. BOX 8000
KETCHIKAN, AK 99901

**PROPOSED FERRY TERMINAL AND
DOCK FACILITY**

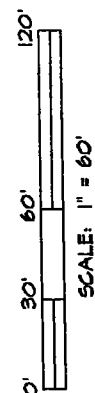
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BOROUGH: KETCHIKAN GATEWAY
STATE: ALASKA

PARCEL: TRACT 3015

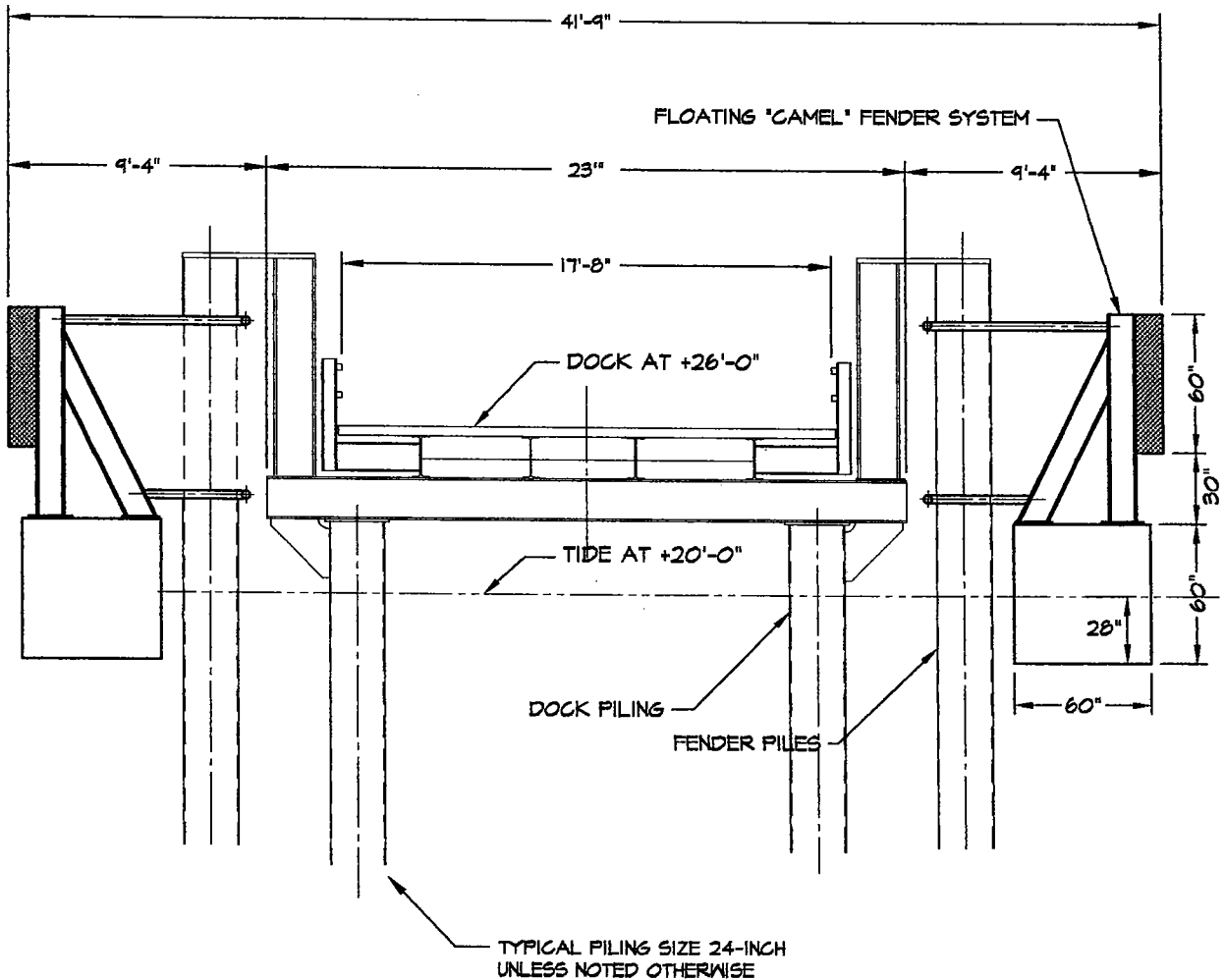
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Date: 3-30-06
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SECT B-B: DOCK OUTER END ARRANGEMENT

NO SCALE

PURPOSE: CONSTRUCTION OF DOCK AND FERRY LOADING TERMINAL.

DATUM: 0.0' M.L.L.W.

ADJACENT PROPERTY OWNERS:
POOL ENGINEERING
JOERGEN SCHADE

REDUCTION POINT FERRY TERMINAL SITE DOCK SECTION VIEW

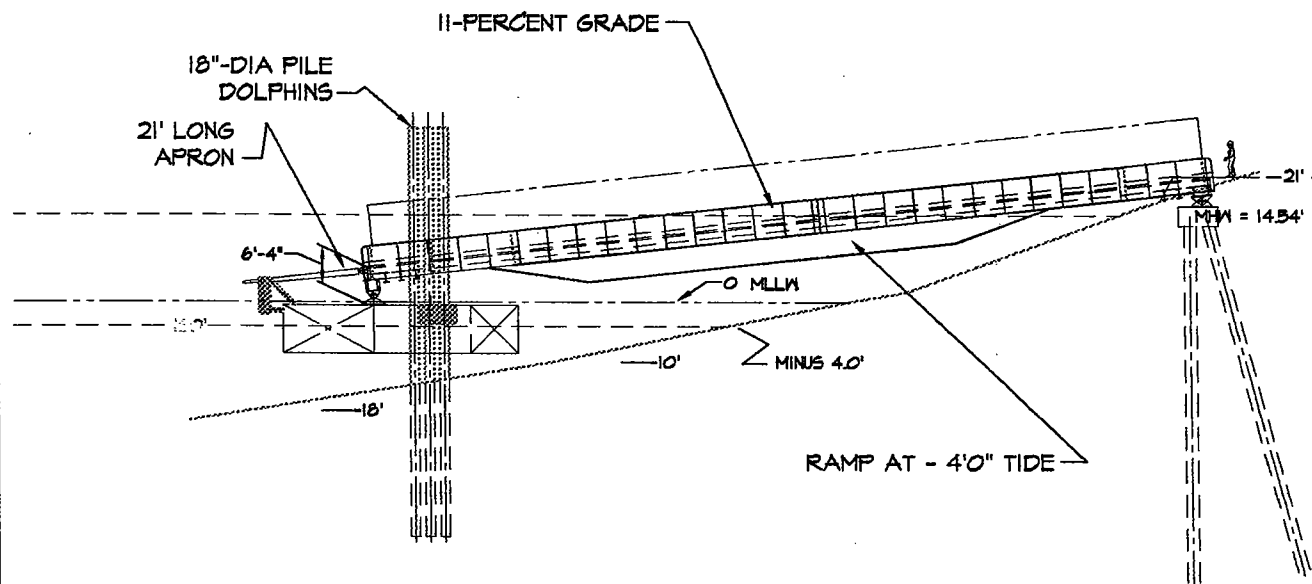
BOYER TOWING, INC.
P.O. BOX 8000
KETCHIKAN, AK 99901

PROPOSED FERRY TERMINAL AND DOCK FACILITY

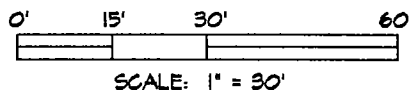
IN: WARD COVE
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STATE: ALASKA

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Date: 3-30-06
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ELEV C-C: RAMP ARRANGEMENT
(LOOKING NORTH)



PURPOSE: CONSTRUCTION OF DOCK
AND FERRY LOADING
TERMINAL.

DATUM: 0.0' M.L.L.W.

ADJACENT PROPERTY OWNERS:
POOL ENGINEERING
JOERGEN SCHADE

REDUCTION POINT
FERRY TERMINAL SITE
RAMP ELEVATION VIEW

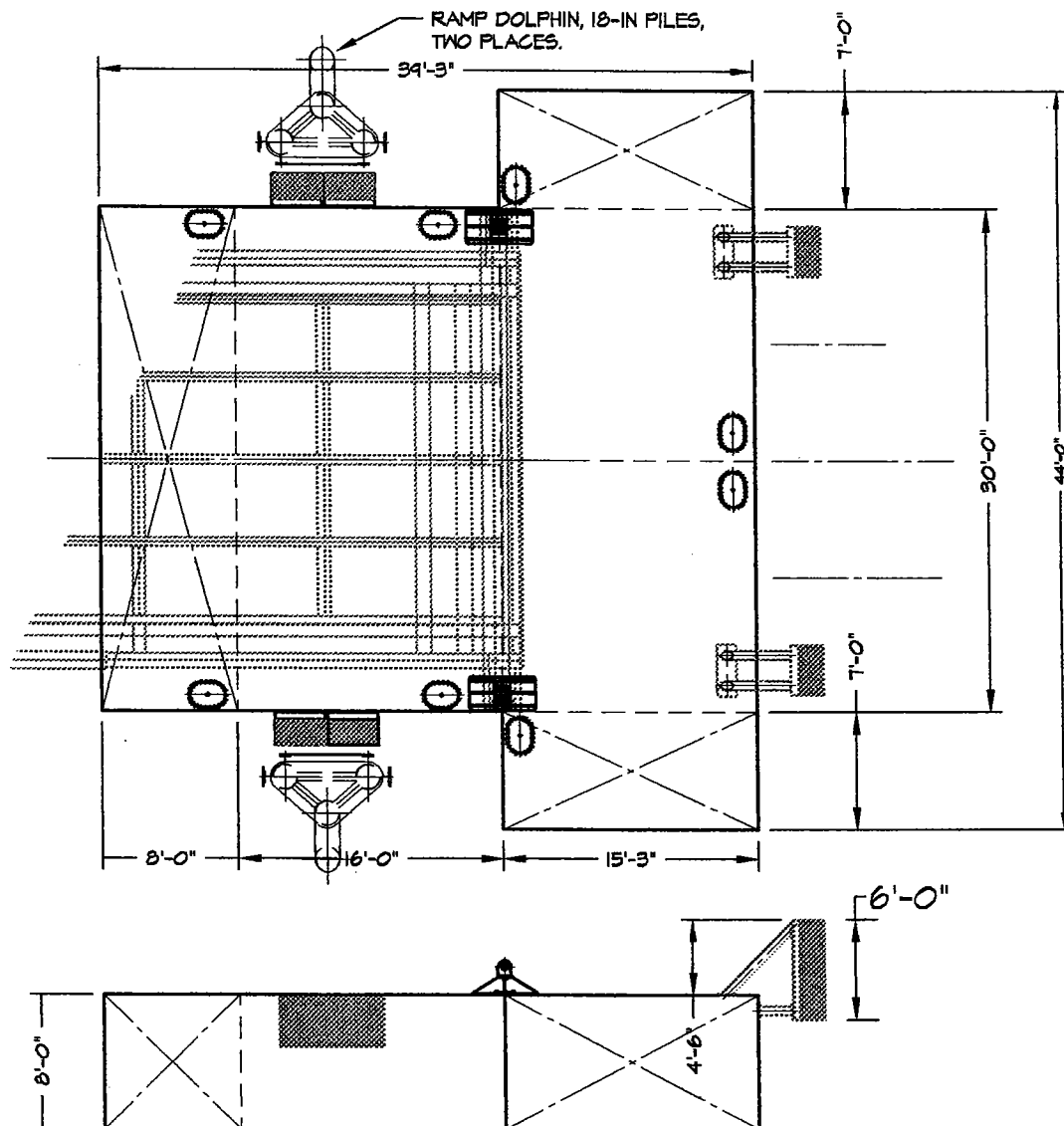
BOYER TOWING, INC.
P.O. BOX 8000
KETCHIKAN, AK 99901

**PROPOSED FERRY TERMINAL AND
DOCK FACILITY**

IN: WARD COVE
AT: KETCHIKAN
BOROUGH: KETCHIKAN GATEWAY
STATE: ALASKA

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RAMP FLOAT DETAILS

SCALE: 3/32" = 1'-0"

PURPOSE: CONSTRUCTION OF DOCK
AND FERRY LOADING
TERMINAL.

DATUM: 0.0' M.L.L.W.

ADJACENT PROPERTY OWNERS:
POOL ENGINEERING
JOERGEN SCHADE

REDUCTION POINT FERRY TERMINAL SITE

RAMP SECTION VIEW

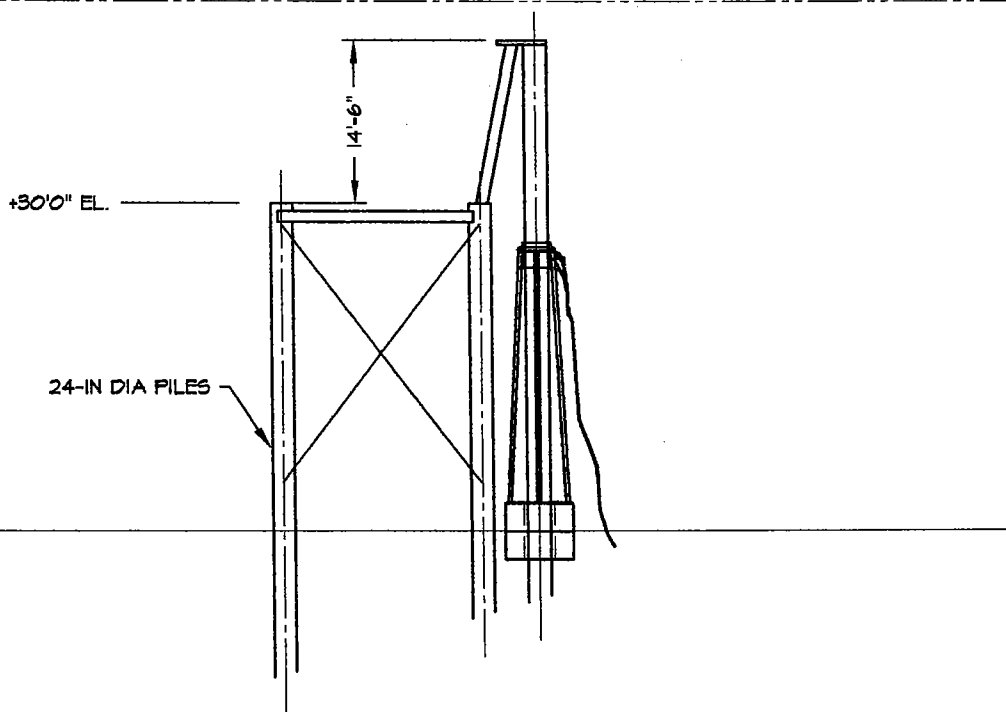
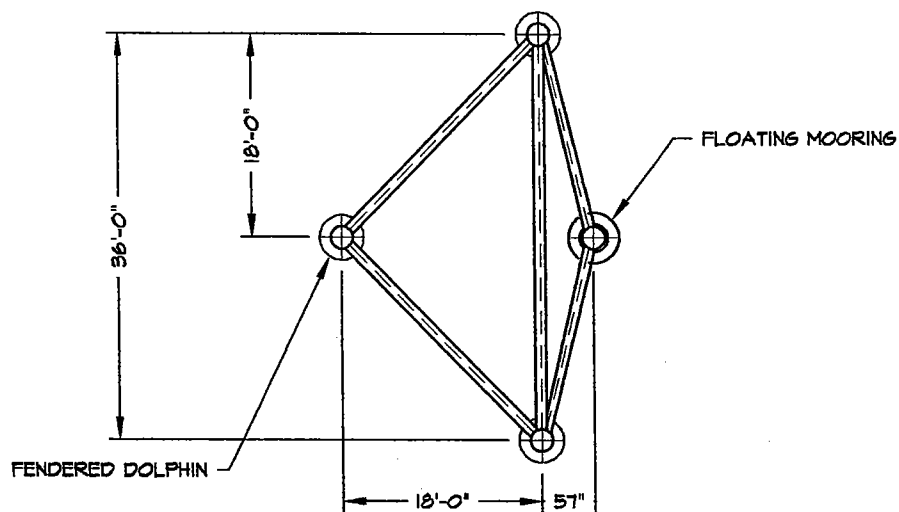
BOYER TOWING, INC.
P.O. BOX 8000
KETCHIKAN, AK 99901

PROPOSED FERRY TERMINAL AND DOCK FACILITY

IN: WARD COVE
AT: KETCHIKAN
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OUTER DOLPHIN ARRGT

SCALE: 1/16" = 1'-0"

PURPOSE: CONSTRUCTION OF DOCK
AND FERRY LOADING
TERMINAL.

DATUM: 0.0' M.L.L.W.

ADJACENT PROPERTY OWNERS:
POOL ENGINEERING
JOERGEN SCHADE

REDUCTION POINT
FERRY TERMINAL SITE
OUTER DOLPHIN ARRGT

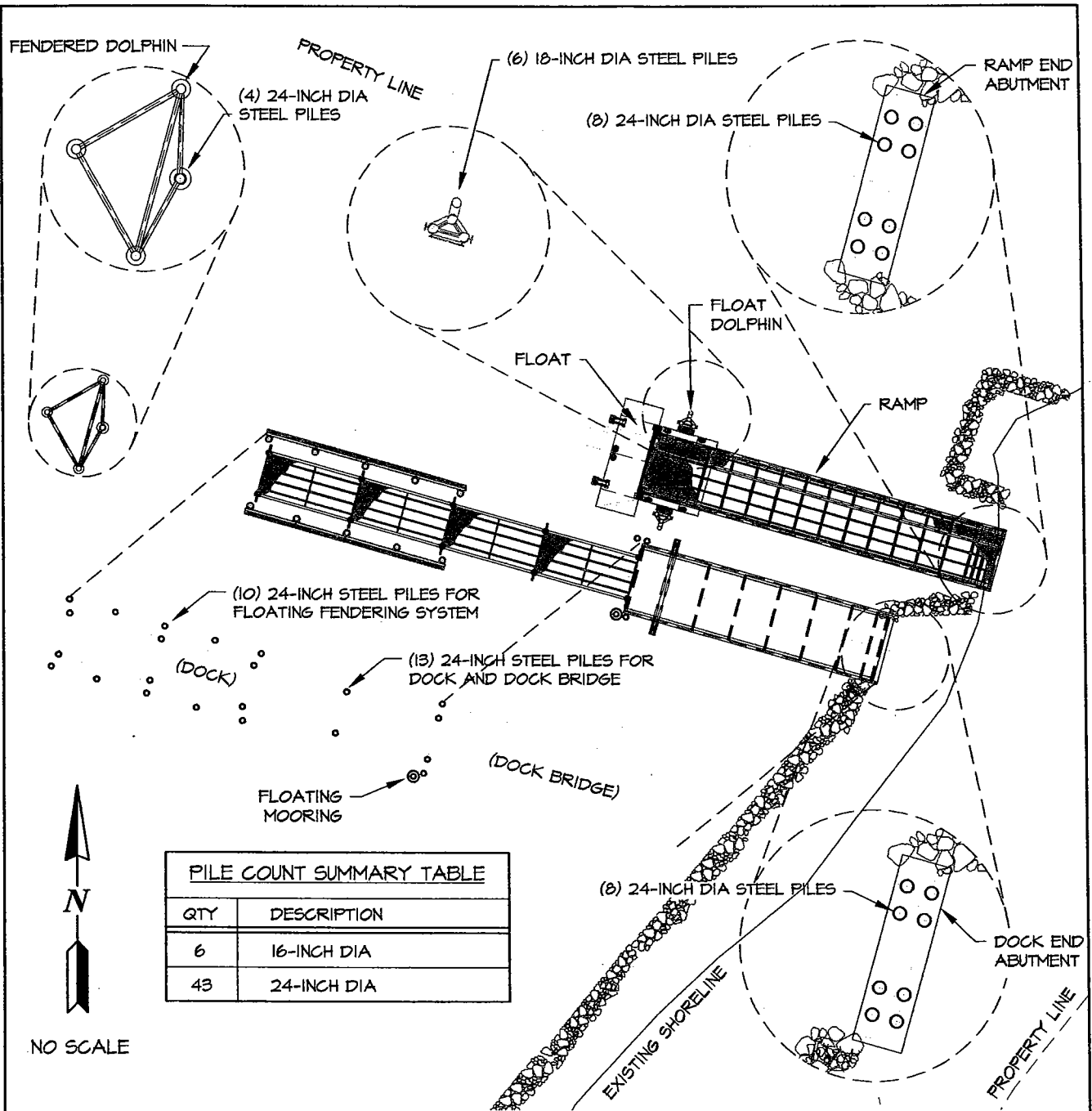
BOYER TOWING, INC.
P.O. BOX 8000
KETCHIKAN, AK 99901

**PROPOSED FERRY TERMINAL AND
DOCK FACILITY**

IN: WARD COVE
AT: KETCHIKAN
BOROUGH: KETCHIKAN GATEWAY
STATE: ALASKA

PARCEL: TRACT 3015

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Date: 3-30-06
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PURPOSE: CONSTRUCTION OF DOCK AND FERRY LOADING TERMINAL.

DATUM: 0.0' M.L.L.W.

ADJACENT PROPERTY OWNERS:
POOL ENGINEERING
JOERGEN SCHADE

**REDUCTION POINT
FERRY TERMINAL SITE**

PILE PLAN & ARRANGEMENT

BOYER TOWING, INC.
P.O. BOX 8000
KETCHIKAN, AK 99901

PROPOSED FERRY TERMINAL AND DOCK FACILITY

IN: WARD COVE
AT: KETCHIKAN
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STATE: ALASKA

PARCEL: TRACT 3015

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Date: 4-20-06
POA-1973-53-AA

R

STATE OF ALASKA

OFFICE OF THE GOVERNOR

**DEPARTMENT OF NATURAL RESOURCES
OFFICE OF PROJECT MANAGEMENT AND PERMITTING**

OFFICE OF PROJECT MANAGEMENT AND PERMITTING
302 GOLD STREET, SUITE 202
JUNEAU, ALASKA 99801-1127
PHONE: (907) 465-3562/FAX: (907) 465-3075

**NOTICE OF APPLICATION
FOR
CERTIFICATION OF CONSISTENCY WITH THE
ALASKA COASTAL MANAGEMENT PROGRAM**

Notice is hereby given that a request is being filed with the Office of Project Management and Permitting for a consistency determination, as provided in Section 307(c)(3) of the Coastal Zone Management Act of 1972, as amended [16 U.S.C. 1456(c)(3)], that the project described in the Corps of Engineers Public Notice No. **POA-1973-53-AA, Ward Cove**, will comply with the Alaska Coastal Management Program and that the project will be conducted in a manner consistent with that program.

This project is being reviewed for consistency with the Alaska Coastal Management Program. Written comments about the consistency of the project with the applicable ACMP statewide standards and district policies must be submitted to the Office of Project Management and Permitting. For information about this consistency review, contact OPMP at (907) 269-7470 or (907) 465-3562, or visit the ACMP web site at <http://www.gov.state.ak.us/gdc/Projects/projects.html>.

STATE OF ALASKA

OFFICE OF THE GOVERNOR

DEPT. OF ENVIRONMENTAL CONSERVATION

DIVISION OF WATER

401 Certification Program

Non-Point Source Water Pollution Control Program

**NOTICE OF APPLICATION
FOR
STATE WATER QUALITY CERTIFICATION**

Any applicant for a federal license or permit to conduct an activity that might result in a discharge into navigable waters, in accordance with Section 401 of the Clean Water Act of 1977 (PL95-217), also must apply for and obtain certification from the Alaska Department of Environmental Conservation that the discharge will comply with the Clean Water Act, the Alaska Water Quality Standards, and other applicable State laws. By agreement between the U.S. Army Corps of Engineers and the Department of Environmental Conservation, application for a Department of the Army permit to discharge dredged or fill material into navigable waters under Section 404 of the Clean Water Act also may serve as application for State Water Quality Certification.

Notice is hereby given that the application for a Department of the Army Permit described in the Corps of Engineers' Public Notice No. POA-1973-53-AA, Ward Cove, serves as application for State Water Quality Certification from the Department of Environmental Conservation.

After reviewing the application, the Department may certify that there is reasonable assurance that the activity, and any discharge that might result, will comply with the Clean Water Act, the Alaska Water Quality Standards, and other applicable State laws. The Department also may deny or waive certification.

Any person desiring to comment on the project with respect to Water Quality Certification may submit written comments within 30 days of the date of the Corps of Engineer's Public Notice to:

Department of Environmental Conservation
WQM/401 Certification
410 Willoughby Avenue
Juneau, Alaska 99801-1795
Telephone: (907) 465-5321
FAX: (907) 465-5274